

REMARKS

Favorable reconsideration of this application as presented herein is requested. Claims 1-26 are pending in the present application. In the above amendments, claims 1, 20, 21, 22, and 26 have been amended.

In the Office Action mailed June 25, 2004, the Examiner rejected claims 1-26 under 35 U.S.C. § 103.

Applicants respectfully respond to this Office Action.

Claim Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1-8, 12, and 14-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,230,009 to Holmes in view of U.S. Patent No. 6,560,457 to Silver. To establish a prima facie case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation of, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference(s) must teach or suggest all the claim limitations.

The rejection contends that Silver teaches receiving an encapsulated message from the first radio network, wherein the encapsulated message includes an unsolicited message from the second radio network that has been forwarded to the first radio network.

Claims 1 and 20 have been amended in order to overcome this rejection. Holmes and Silver do not teach a network that continues to send an encapsulated message until the radio network receives a message to stop encapsulation. The HDR radio network continues to receive, filter, encapsulate, and send unsolicited CDMA messages to the access terminal until a StopEncapsulateCDMA message is received from the access terminal, or if the access terminal has disconnected from the HDR radio network. (See Applicants' Specification, p.11, ll. 3-6.) At most, Silver teaches a MT130 that periodically notifies the BSS125 of its presence while idle and it also teaches encapsulating a page message. However, nothing in Silver describes the added

feature of the network continuing to send the encapsulated message until the network receives a message to stop encapsulation, as described in claims 1 and 20.

Applicants thus respectfully submit that claims 1 and 20 are not rendered obvious by the Holmes Patent when considered alone or in combination with Silver. Claims 2-8, 12, and 14-19 depend from claim 1 and therefore include all the limitations of that independent claim. Since the Holmes and Silver references do not render claims 1-8, 12 and 14-20 unpatentable, Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

The Examiner also rejected claims 9-11 and 13 under 35 U.S.C. § 103 as being unpatentable over Holmes and Silver and further in view of U.S. Patent No. 6,600,920 to Stephens. For the reasons mentioned above, claim 1 is not rendered obvious by Holmes and Silver when considered alone or in combination with Stephens. Stephens also does not describe the added feature of the network continuing to send the encapsulated message until the network receives a message to stop encapsulation. Claims 9-11 and 13 depend directly and indirectly from claim 1 and therefore include all the limitations of that independent claim. Since the Holmes, Silver, and Stephens references do not render claims 9-11 and 13 obvious, Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

Finally, the Examiner rejected claims 21-26 under 35 U.S.C. § 103 as being unpatentable over Holmes and Silver and further in view of U.S. Patent No. 6,181,683 to Chevillat. Claims 21, 22, and 26 have been amended to overcome the rejection. For the reasons mentioned above, claim 21, 22, and 26 are not rendered obvious by Holmes and Silver when considered alone or in combination with Chevillat. Chevillat also does not describe the added feature of the network continuing to send the encapsulated message until the network receives a message to stop encapsulation. Claims 23-25 depend directly and indirectly from claims 1 and 22 and therefore include all the limitations of those independent claims. Since the Holmes, Silver, and Chevillat references do not render claims 21-26 obvious, Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: 7/28/2004

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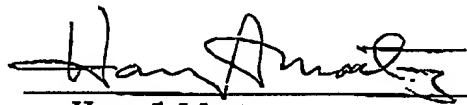
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Expires: May 5, 2005



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